



22 June 2005

OPEN LETTER TO EU ENVIRONMENT MINISTERS IN ADVANCE
OF THE 24 JUNE ENVIRONMENT COUNCIL

Dear EU Environment Ministers,

A recent pre-Environment Council letter sent by Environment Ministers from five EU Member States plus Norway states that the decision on the Commission's proposal to exempt Deca-BDE from the RoHS Directive is of a "political nature".

BSEF believes legislative decisions should be based on science and not politicised. A 10-year EU risk assessment of Deca-BDE concluded in 2004 did not identify a risk either to the environment or human health. Neither did the Commission's Scientific Committee, the SCHER, identify any risk. The SCHER's concerns that the risk assessment should be revisited regularly are clearly being addressed by the rapporteurs in their reviews of any new science, as is standard practice with any other risk assessment.

The legislative consequences of not providing for an exemption for a risk assessed chemical such as Deca-BDE, would undermine the case for increased testing of chemicals under the proposed Regulation on REACH.

The practical consequences would be for manufacturers to move to use less tested alternatives, thus rewarding these chemicals for their lack of data, or simply to stop using flame retardants, with serious implications for consumer fire safety.

A majority of Member State votes were in favour of the Commission's proposed exemption at the Technical Adaptation Committee in April. We regret that a minority of Member States seem to be set against Deca-BDE's exemption. Some have made commitments to ban Deca-BDE in advance of risk assessment conclusions. For its part, the industry is committed to addressing their concerns and has launched with the EU risk assessment authorities an unprecedented EU-wide programme of monitoring and emissions reduction.

I would be grateful if you would take these considerations into account in advance of the 24 June Environment Council and would support the Commission's proposal.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'R. B. Dawson', written in a cursive style.

Dr. Raymond Dawson
Chairman

BSEF is the international organisation of the bromine chemical industry, whose remit is to inform stakeholders and commission science on brominated chemicals such as flame retardants.